

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT PEARSON,

Plaintiff,

-against-

STATE OF NEW YORK, et al.,

Defendants.

24-CV-3943 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated July 3, 2024, the Court directed Plaintiff to show cause within 30 days why this action should not be dismissed without prejudice because he did not update his address with the court, as directed in the court's March 18, 2024 Standing Order. *See In Re: Cases Filed By Pro Se Plaintiffs, This Matter Relates To: Duty of Self-Represented Parties to Keep Address Information Current*, No. 24-MC-127 (LTS) (S.D.N.Y. Mar. 18, 2024) ("Standing Order").

Plaintiff has not updated his address or otherwise communicated with the court.¹

Accordingly, the Court dismisses this action without prejudice, under Rule 41(b) of the Federal Rules of Civil Procedure, for Plaintiff's failure to comply with the July 3, 2024 order and the March 18, 2024 Standing Order. This dismissal is without prejudice to Plaintiff's filing a new civil action.

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of an

¹ According to the records of the New York State Unified Court System, at the time that he filed this action, Plaintiff was detained in the Orange County Jail on charges of disorderly conduct brought against him this year, as well as charges trespassing and petit larceny brought against him last year. According to those same records, on June 10, 2024, Plaintiff was released on his own recognizance. *See* https://iapps.courts.state.ny.us/webcrim_attorney/DefendantSearch [<https://perma.cc/JYK7-J7GM>].

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: August 22, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge